

Todd R. McFarland, Associate General Counsel
General Conference of Seventh-day Adventists
12501 Old Columbia Pike
Silver Spring, MD 20904
Phone: (301) 680-6321
E-mail: mcfarlandt@gc.adventist.org

Jerome R. Aiken, WSBA #14647
Meyer, Fluegge & Tenney, P.S.
230 S. 2nd Street, #100 / P.O. Box 22680
Yakima, WA 98907-2680
Phone: (509) 575-8500
Email: aiken@mftlaw.com

Counsel for Plaintiffs James Blais and Gail Blais

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

JAMES BLAIS and GAIL BLAIS,

Plaintiffs,

vs.

ROSS HUNTER, in his official capacity
of Secretary of Washington State
Department of Children, Youth and
Families

Defendant.

Case No.: 20-CV-00187-SMJ

**JOINT STATUS REPORT PER
COURT'S ORDER**

Pursuant to this Court's October 13, 2020 Order (ECF No. 57), the attorneys
for the Parties conferred via telephone on October 15, 2020. Based on that

**JOINT STATUS REPORT PER COURT'S
ORDER**

1 discussion, the Parties submit their respective responses to this Court's inquiries set
2 forth in its Order (ECF No. 57):

3 1. The Parties submitted a proposed schedule as part of their Rule 26 Joint
4 Status Report on September 25, 2020 (ECF No. 50). The Parties also
5 submitted a proposed Protective Order on October 1, 2020 (ECF No. 54-
6 1). The Parties are in agreement that the Court should enter the proposed
7 Protective Order (ECF No. 54-1). The Parties are in disagreement however
8 on the need for the scheduling order. Therefore, the Parties believe the
9 hearing on October 20, 2020 is appropriate.

10 2. Plaintiffs believe that the Court should retain jurisdiction over this matter.
11 The Court's written order of October 8, 2020 (ECF No. 56) only granted a
12 preliminary injunction. Should this Court dismiss this matter that
13 preliminary injunction would dissolve. Further, Plaintiffs have sought
14 other relief beyond that granted by the October 8, 2020 Order. *E.g.*
15 Plaintiffs' Amended Complaint for Preliminary and Permanent Injunction,
16 Prayer For Relief paragraph four (ECF No. 30).

17 Defendant is neutral on the issue of the Court retaining jurisdiction.

18 3. Plaintiffs would like to bring to the Court's attention an additional item.
19 The Court's Order of October 8, 2020 (ECF No. 56) was not accompanied
20 by a separate document pursuant to FEDERAL RULE OF CIVIL PROCEDURE
21
22
23

58(a). Because that Order is appealable pursuant to 28 USC §1292(a)(1) it is a “judgment” under Rule 54(a) and thus requires a separate document under Rule 58(a). *See Credit Suisse First Boston Corp. v Grunwald*, 400 F.3d 1119, 1143 fn. 6 (9th Cir. 2005). The Plaintiffs respectfully request that the Court enter such an order or direct the Clerk of this Court to do so.

DATED this 15th day of October, 2020.

ATTORNEYS FOR PLAINTIFFS

s/ Todd R. McFarland

Todd R. McFarland
Associate General Counsel
General Conference of Seventh-day
Adventists
Phone: (301) 680-6321
Email: mcfarlandt@gc.adventist.org

s/ Jerome R. Aiken

Jerome R. Aiken, WSBA #14647
Meyer, Fluegge & Tenny, P.S.
Phone: (509) 575-8500
Email: aiken@mftlaw.com

s/ Andrew G. Schultz

Andrew G. Schultz, NM No. 3090
Rodey, Dickason, Sloan, Akin & Robb, P.A.
Phone: (505) 765-5900
Email: aschultz@rodey.com

ATTORNEYS FOR DEFENDANT

s/ Jeffrey C. Grant

Jeffrey C. Grant, WSBA #11046
Assistant Attorney General
Office of the Attorney General

1 88 Fifth Avenue, Suite 2000
2 Seattle, WA 98104
3 Phone: (206) 332-7099
4 Email: Jeffrey.grant@atg.wa.gov
5 s/ Carrie Hoon Wayno

6 Carrie Hoon Wayno, WSBA #32220
7 Drew Pugsley, WSBA #48566
8 Assistant Attorney General
9 Office of the Attorney General
10 7141 Cleanwater Drive SW
11 P.O. Box 40124
12 Olympia, WA 98504-0124
13 Phone: (360) 586-6565
14 Email: Carrie.Wayno@atg.wa.gov
15 Drew.Pugsley@atg.wa.gov
16
17
18
19
20
21
22
23

CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel of record:

Todd R. McFarland, Associate General Counsel
General Conference of Seventh-day Adventists
12501 Old Columbia Pike
Silver Spring, MD 20904
Phone: (301) 680-6321
E-mail: mcfarlandt@gc.adventist.org
Counsel for Plaintiffs James Blais and Gail Blais

Jerome R. Aiken, Esq.
Meyer, Fluegge & Tenney, PS
230 South Second Street
P.O. Box 22680
Yakima, WA 98907-2680
Email: aiken@mftlaw.com
Counsel for Plaintiffs James Blais and Gail Blais

Mr. Andrew G. Schultz
Rodey, Dickason, Sloan, Akin & Robb, P.A.
P.O. Box 1888
Albuquerque NM 87103
aschultz@rodey.com
Counsel for Plaintiffs James Blais and Gail Blais

Mr. Jeffrey C. Grant, Assistant Attorney General
Office of the Attorney General
88 Fifth Avenue, Suite 2000
Seattle, WA 98104
Jeffrey.Grant@atg.wa.gov
Counsel for Defendant Ross Hunter

1 Ms. Carrie Hoon Wayno, Assistant Attorney General
2 Mr. Drew Pugsley, Assistant Attorney General
3 Office of the Attorney General
4 7141 Cleanwater Drive SW / P.O. Box 40124
5 Olympia, WA 98504-0124
6 Carrie.Wayno@atg.wa.gov
7 Drew.Pugsley@atg.wa.gov
8 *Counsel for Defendant Ross Hunter*

8 s/ Jerome R. Aiken
9 Jerome R. Aiken, WSBA #14647
10 Meyer, Fluegge & Tenney, P.S.
11 Attorneys for Plaintiffs
12 Email: aiken@mftlaw.com
13
14
15
16
17
18
19
20
21
22
23